



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

May 8, 2015

System No. 4600019

Certified Mail

No. 7012 3460 0003 1113 1229

Tim Butler, Chairman
Sierra County Water Works District #1
P. O. Box 24
Calpine, CA 96124

TRANSMITTAL OF CITATION NO. 01-02-15C-007

Dear Mr. Butler,

The State Water Resources Control Board (Water Board), Division of Drinking Water, has issued the Sierra County Water Works District #1 - Calpine a citation, which is attached.

If you have any questions regarding this matter, please call staff engineer Stephen Rooklidge at (530) 224-2413 or me at (530) 224-4800.

Sincerely,

A handwritten signature in black ink, reading "Michael J. McNamara".

Michael J. McNamara, P.E.
Lassen District Engineer
Drinking Water Field Operations Branch

cc: Bruce Burton, Assistant Deputy Director
Northern California Drinking Water Field Operations
Richard L. Hinrichs, Chief, Northern California Section

Enclosure: Citation No. 01-02-15C-007

sjr \ 4600019 Sierra Co WWD \ File: Enforcement

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Sierra County Water Works District #1- Calpine
P.O. Box 25
Calpine, CA 96124

Attn: Tim Butler, Chairman of the Board
Sierra Co. W.W.D. #1

**CITATION FOR VIOLATION OF
DIRECTIVE 3 IN COMPLIANCE ORDER NO. 01-02-15R-002
WATER SYSTEM NO. 4600019
CITATION NO. 01-02-15C-007**

Issued on May 8, 2015

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter “California SDWA”), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Sierra County

Waterworks District No. 1 - Calpine (hereinafter, DISTRICT) (P.O. Box 24, Calpine, CA 96124) for violation of Directive 3 in Compliance Order No. 01-02-15R-002.

APPLICABLE AUTHORITIES

Section 116650 of California Health and Safety Code provides:

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

Directive 3 of the Compliance Order No. 01-02-15R-002 provided:

1 3. On or before **April 1, 2015**, present the Corrective Action Plan required
2 under Directive No. 2, above, to the Division in person at the Division's offices located
3 at 364 Knollcrest Drive, Suite 101, Redding, CA, 96002.
4

5 **STATEMENT OF FACTS**

6 The Sierra County Water Works District #1 serves domestic water to an
7 unincorporated community known as Calpine, which consists primarily of permanent
8 residential homes, rental properties, and a small number of commercial
9 establishments. The community water system supplies water for domestic purposes
10 to a residential population of approximately 225 persons through 122 service
11 connections. The sources of supply for the water system include two groundwater
12 wells, known as Well 1 and Well 2. The Water System operates under Water Supply
13 Permit No. 01-02-93(P) 46014 issued on December 31, 1993.
14

15 As of the date of this Citation the Division has not received an Action Plan to address
16 arsenic contamination in accordance with Directive 3 of Compliance Order No. 01-02-
17 15R-002 issued to the DISTRICT on March 4, 2015.
18

19 **DETERMINATIONS**

20 The Division has determined that the DISTRICT continues to be in violation of Directive
21 3 of Compliance Order No. 01-02-15R-002.
22

23 **ADMINISTRATIVE PENALTY**

24 Sections 116650(d) and 116650(e) of the California Health and Safety Code allow for
25 the assessment of a penalty for failure to comply with requirements of the California
26 SDWA.
27

1 For failure to comply with Directive 3 of Compliance Order No. 01-02-15R-002 the
2 Division hereby assesses Sierra County Water Works District #1 - Calpine a penalty in
3 the amount of \$500.00. Directions for paying this penalty are included in Directive No. 2
4 of this Citation. Continued failure to comply with Directive 3 of Compliance Order No.
5 01-02-15R-002 may result in additional enforcement actions against the DISTRICT by
6 the Board which may also include penalties.

8 DIRECTIVES

9 The DISTRICT is hereby directed to take the following actions:

- 11 1. Comply with Directive 3 of Compliance Order No. 01-02-15R-002 by submitting
12 the Corrective Action Plan required under Directive No. 2 by **June 15, 2015**, and
13 by presenting the Corrective Action Plan to the Division in person at the
14 Division's offices located at 364 Knollcrest Drive, Suite 101, Redding, CA, 96002,
15 or by telephone conference at 530-224-4800 by **June 30, 2015**.
- 17 2. Submit to the Division by **June 30, 2015**, a check for the penalty of \$500.00
18 imposed by this Citation. The citation number shall be written on the check. The
19 check shall be made payable to the **California Division of Drinking Water –**
20 **Safe Drinking Water Account** and mailed to the Board along with
21 Attachment 'A' entitled "Notice of Citation Issuance."
- 23 3. Complete and return Attachment 'B' entitled "Compliance Certification" by
24 **June 30, 2015**.

26 All documents required by this Citation shall be submitted to the Board at the following
27 address:

1 Michael J. McNamara, P. E.
2 Lassen District Engineer
3 Division of Drinking Water
4 State Water Resources Control Board
5 364 Knollcrest Drive, Suite 101
6 Redding, CA 96002
7

8 As used in this Citation, the date of issuance shall be the date of this Citation; and the
9 date of service shall be the date of service of this Citation, personal or by certified mail,
10 on the Water System.

11
12 Nothing in this Citation relieves the DISTRICT of its obligation to meet the requirements
13 of the California SDWA or any regulation, permit, standard or order issued or adopted
14 thereunder. The Division reserves the right to make such modifications to this Citation,
15 as it may deem necessary to protect public health and safety. Such modifications may
16 be issued as amendments to this Citation and shall be effective upon issuance.
17

18 **FURTHER ENFORCEMENT ACTION**

19 The California SDWA authorizes the Board to: issue a citation with assessment of
20 administrative penalties to a public water system for violation or continued violation of
21 the requirements of the California SDWA or any permit, regulation, permit or order
22 issued or adopted thereunder including, but not limited to, failure to correct a violation
23 identified in a citation or compliance order. The California SDWA also authorizes the
24 Board to take action to suspend or revoke a permit that has been issued to a public
25 water system if the system has violated applicable law or regulations or has failed to
26 comply with an order of the Board; and to petition the superior court to take various
27 enforcement measures against a public water system that has failed to comply with or
28 violates an order of the Board. The Board does not waive any further enforcement
29 action by issuance of this citation.

PARTIES BOUND

This Citation shall apply to and be binding upon the DISTRICT, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Citation are severable, and the DISTRICT shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

5/8/2015

Richard L. Hinrichs

Date

Richard L. Hinrichs, P.E., Chief

Northern California Section

Division of Drinking Water

State Water Resources Control Board

Attachments:

'A' Notice of Citation Issuance

'B' Compliance Certification



CERTIFIED MAIL No. 7012 3460 0003 1113 1229

cc: Bruce Burton, Assistant Deputy Director,

-Northern California Drinking Water Field Operations

Richard L. Hinrichs, Chief, Northern California Section

**STATE OF CALIFORNIA
Division of Drinking Water
State Water Resources Control Board**

Notice of Citation Issuance

System Name: Sierra County Water Works District #1 - Calpine

System Number: 4600019

Background Statement

During the month of May 2015, the Division of Drinking Water issued Citation Number 01-02-15C-007 to the Sierra County WWD #1 - Calpine. The citation carried an administrative penalty in the amount of \$500.00

Method of Payment

A check for the total amount of the administrative penalty and a copy of this form shall be submitted to the Division by **June 30, 2015**. The citation number shall be written on the check. The check shall be made payable to the California Division of Drinking Water Safe Drinking Water Account and submitted to:

SWRCB Accounting Office
Attn: Drinking Water Program
PO Box 1888
Sacramento, CA 95812-1888

Please attach check below:

COMPLIANCE CERTIFICATION

Citation Number: **01-02-15C-007**

Name of Water System: **Sierra County WWD #1 - Calpine**

System Number: **4600019**

As required by Section 116450 of the California Health and Safety Code, I certify that the Sierra County WWD #1 - Calpine complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Payment of \$500.00 Administrative Penalty to the Division of Drinking Water in Sacramento, as required by Directive 3 _____	
_____ Signature of Water System Representative	_____ Date

Attach a copy of the check for payment of the administrative penalty.

<p>THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN JUNE 30, 2015.</p>

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.